STATE OF ILLINOIS SECRETARY OF STATE SECURITIES DEPARTMENT

)	
IN THE MATTER OF: RESOURCE BANKERS,)	
Its Officers, Directors, Employees, Successors,)	File No. 0800165
Partners, Agents and Assigns, and KEVIN)	
MITCHELL, individually.)	
)	

TEMPORARY ORDER OF PROHIBITION

TO THE RESPONDENT: Resource Bankers

111 Continental Drive, # 302

Newark, DE 19713

Kevin Mitchell 1746 Dundas Street Toronto, ON M6M3E8

Kevin Mitchell 1923 Islington Avenue

Toronto, ON M9M5Y2

On information and belief, I, Jesse White, Secretary of State for the State of Illinois, through my designated representative, having been fully advised in the premises by the staff of the Illinois Securities Department, Office of the Secretary of State, herein find:

- 1. That Respondent, Resource Bankers ("Resource"), is a business entity, organized and existing under the laws of the State of Delaware with a last known address of 111 Continental Drive, # 302, Newark, Delaware 19713.
- 2. That Respondent, Kevin Mitchell ("Mitchell"), collectively with Resource the Respondents ("Respondents"), is an individual with last known addresses of 1746 Dundas Street, 10ronto, ON, MoM3E8 and 1923 Islington Avenue, Toronto, ON, M9M5Y2.
- That on or about Echruary 2, 2008, Respondents by and through its Officers, Directors, Employees, Affiliates, Successors, Agents and Assigns, advertised in the "Carmi Times" newspaper (the "Ad"), a newspaper of general circulation in Carmi, offering personal and mortgage consolidation loans to individuals who would call 888-835-6419

- 4. That at least one (1) Illinois resident the ("Borrower") responded to the Ad and after speaking with representatives of Respondent over the telephone received a Loan Agreement and Note required to be executed for a loan to be obtained in the amount of One Hundred Thousand (\$100, 000.00) dollars USD.
- 5. Article VI of the Loan Agreement provided that the "Lender" required as a condition to releasing the loan to the Borrower a "Security Deposit" as a Collateral Payment up front in the amount of Four Thousand Five Hundred (\$4500.00) Dollars USD, which was to be prepaid by the Borrower.
- 6. That the Borrower executed and returned the Loan Agreement and Note to the Delaware address. On April 11, 2008 and April 14, 2008 the borrower transmitted equal payments of Two thousand Two Hundred and Fifty (\$2,250.00) Dollars USD via two separate Money grams to Kevin Mitchell at the addresses listed in paragraph 2 above as instructed by the representatives of Resource Bankers over the telephone.
- 7. That the above-referenced Respondents are Loan Brokers as that term is defined pursuant to Section 15-5.15. of the Illinois Loan Brokers Act of 1995 [815 ILCS 175/15-1 et seq.] (the "Act").
- 8. That Section 15-10 of the Act provides, <u>inter alia</u>, that it shall be unlawful for any person to engage in the business of loan brokering unless registered under the Act.
- 9. That Section 15-85. of the Act provides, <u>inter alia</u>, that it is prohibited under the Act for a loan broker to either directly or indirectly act as a loan broker without registration under the Act unless exempt under the Act.
- 10. That at all times relevant hereto, Bankers Resource and Kevin Mitchell, their Officers, Directors, Employees, Affiliates, Successors, Agents and Assigns, failed to file an application for registration as a loan broker with the Secretary of State prior to the aforementioned loan offer in the State of Illinois.
- 11. That by virtue of the foregoing, Resource Bankers and Kevin Mitchell, their Officers, Directors, Employees, Affiliates, Successors, Agents and Assigns, have violated Section 15-10 and/or 15-85(b) of the Act.
- That Section 15-55(c) of the Act provides, <u>inter alia</u>, that if the Secretary of State shall find that any person has violated any provision of this Act, the Secretary of State may by written order temporarily prohibit or suspend such person from acting as a loan broker

- 13. That Section 15-55(d) of the Act provides, inter alia, that if the Secretary of State shall find any person is acting or has acted as a loan broker as defined in Section 15-5.15 of this Act, without prior thereto or at the time thereof having complied with the registration requirements of the Act, the Secretary of State may by written order prohibit such person from acting as a loan broker in the State.
- 14. That based upon the foregoing, the Secretary of State deems it necessary, in order to prevent imminent and additional violations of the Act, and to prevent losses to investors as a result of the referenced prior violation of the Act, to enter an order pursuant to the authority granted under Section 15-55(c) and Section 15-55(d) of the Act which prohibits Resource and Mitchell, their Officers, Directors, Employees, Affiliates, Successors, Agents and Assigns from acting as a loan broker in the State of Illinois.
- 15. That based upon the credible evidence available to the Secretary of State, the entry of this Temporary Order is in the public interest and is consistent with the purposes of the Act.

NOW THEREFORE, IT IS HEREBY ORDERED THAT: pursuant to the authority granted by Section 15-55(c) and Section 15-55(d) of the Act, Resource Bankers and Kevin Mitchell, their Officers, Directors, Employees, Affiliates, Successors, Agents and Assigns, are hereby PROHIBITED from engaging in the business of loan brokering in the State of Illinois until further order of the Secretary of State.

NOTICE is hereby given that the Respondent may request a hearing on this matter by transmitting such request in writing to Securities Director, Illinois Securities Department, 69 West Washington Street, Suite 1220, Chicago, Illinois 60601. Such request must be made within thirty (30) days of the date of entry of this Temporary Order. Upon receipt of a request for hearing, a hearing will be scheduled. Request for hearing will not stop the effectiveness of this Temporary Order and will extend the effectiveness of this Temporary Order for ninety days from the date the hearing request is received by the Department.

Temporary Order of Prohibition

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FAILURE BY ANY RESPONDENT TO REQUEST A HEARING WITHIN THIRTY (30) DAYS AFTER ENTRY OF THIS TEMPORARY ORDER SHALL CONSTITUTE AN ADMISSION OF ANY FACTS ALLEGED HEREIN AND CONSTITUTES SUFFICIENT BASIS TO MAKE THE TEMPORARY ORDER FINAL.

ENTERED: This $\int a^{Th}$ day of December, 2008.

JESSE WHITE
Secretary of State

State of Illinois

Attorney for the Secretary of State:

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